

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2017 OCT 10 PM 2:36

United States of America
v.

Toni Freddy Herrera (01)
Juan Martinez (02)
Jessica Oregel Rodriguez (03)

Defendant(s)

Case No.

2:17-MJ-100

DEPUTY CLERK 

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 9, 2017 in the county of Carson in the
Northern District of Texas, the defendant(s) violated:

Code Section

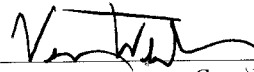
Title 21, United States Code,
Sections 841(a)(1), 841(b)(1)(A)
(viii) and 846.

Offense Description

Conspiracy to Distribute and Possess with Intent to Distribute 500 Grams or
More of Methamphetamine.

This criminal complaint is based on these facts:
see attached affidavit in support of complaint.

☒ Continued on the attached sheet.



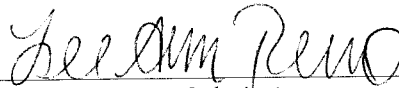
Complainant's signature

Vern Wilson, DEA TFO

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/10/2017



Judge's signature

City and state: Amarillo Texas

Lee Ann Reno, U.S. Magistrate Judge

Printed name and title

No. 2:17-MJ-100

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Vernon J. Wilson, being duly sworn, depose and state:

1. I am a Task Force Officer assigned to the Drug Enforcement Administration (DEA) in Amarillo, Texas. I was employed for thirty one years (31) with the Amarillo Police Department. I am currently employed with the 47th District Attorney's Office for two (2) years and three (3) months.

2. As part of my duties as a Task Force Officer, I investigate criminal violations related to narcotics trafficking and illegal drug smuggling. I have been involved in several investigations of illegal contraband and have specialized training and knowledge in investigating the illicit smuggling, transportation, and trafficking of narcotics in violation of Title 21, United States Code, Section 841(a)(1).

3. This affidavit is made in support of a complaint and arrest warrant for Toni Freddy HERRERA, Juan MARINEZ, and Jessica Oregel RODRIGUEZ. I am familiar with the information contained in this affidavit based upon my own personal investigation, as well as conversations with other law enforcement officers involved in this investigation.

4. On October 9, 2017, Texas Department of Public Safety (DPS) Joel Smith was working patrol on I-40 in Carson County, Texas. At approximately 9:28 p. m., Trooper Smith stopped a 2017 black Chevrolet Tahoe displaying California tag 7VGH049 for speeding over the posted limit. Upon making contact with the driver of the vehicle, who was later identified as Juan MARTINEZ, Trooper Smith noticed indicators of criminal activity. MARTINEZ told Trooper Smith that they had a small amount of marijuana in the vehicle. While in the process of issuing MARTINEZ a warning for speeding, Trooper Smith engaged MARTINEZ in conversation. During this conversation, Trooper Smith found inconsistencies with MARTINEZ's story about his trip. Trooper Smith asked for consent to search the vehicle, and MARTINEZ granted consent to search the vehicle. Trooper Smith conducted a search of the vehicle. During the search Trooper observed that the cover to the spare tire crack had smudged finger prints on it. Trooper Smith crawled under the rear of the Tahoe to examine the spare tire. Trooper Smith observed

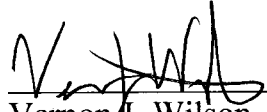
that the spare tire fit a vehicle with five (5) lug nuts. The Tahoe requires a tire rim that has six (6) lug nuts. Trooper Smith removed the spare tire and observed that there were objects inside of the tire. Trooper Smith was granted consent by HERRERA, MARTINEZ, and RODRIGUEZ to be escorted to the DPS Office in Panhandle, Texas, for further investigation. Upon arrival to the DPS Office, Trooper Smith broke down the tire and discovered twenty-eight (28) plastic heat-sealed bundles of a crystalline substance believed to methamphetamine. HERRERA, MARTINEZ, and RODRIGUEZ were arrested.

5. DPS Trooper Danny Nunez called DEA TFO Vern Wilson, who responded along with TX DPS S/A Shannon Hernandez to the Panhandle, TX DPS Office. Special Agent Shannon Hernandez and TFO Vern Wilson interviewed MARTINEZ. S/A Henderson advised MARTINEZ of his *Miranda* warnings. MARTINEZ waived his rights and agreed to speak to officers. MARTINEZ stated that he was recruited by HERRERA to rent a vehicle and drive to Huntington Beach, California, to pick HERRERA up. HERRERA wanted MARTINEZ to drive to Nashville, Tennessee, to deliver the rental vehicle, the black Chevrolet Tahoe, to unknown subjects in Nashville. MARTINEZ stated that HERRERA financed the trip. MARTINEZ stated that he made one prior trip to Nashville from California with HERRERA earlier this summer. MARTINEZ stated that when he arrived in California, HERRERA drove the rented Tahoe to an unknown location and was away for approximately one (1) hour.

6. RODRIGUEZ was interviewed by S/A Henderson, and TFO Wilson. RODRIGUEZ was advised her *Miranda* warnings. RODRIGUEZ waived her rights and agreed to speak to officers. RODRIGUEZ advised that the vehicle was rented in her name. RODRIGUEZ stated that she is the wife of MARTINEZ. RODRIGUEZ stated that HERRERA financed the trip. RODRIGUEZ stated that she believed that they were delivering money to unknown subjects in Nashville, Tennessee. RODRIGUEZ stated that she and MARTINEZ would be paid \$1,000.00 upon delivery of the Tahoe.

7. HERRERA was interviewed by S/A Henderson and TFO Wilson. S/A Henderson advised HERRERA of his *Miranda* warnings. HERRERA invoked his right to speak to an attorney before any questioning.

8. Trooper Smith weighed the twenty-eight (28) packages of suspected methamphetamine. The weight was 28.56 gross pounds. TFO Wilson conducted a field test on a small amount of the suspected methamphetamine. The sample tested positive for methamphetamine.



Vernon J. Wilson
DEA Task Force Officer

Sworn to before me, and subscribed in my presence

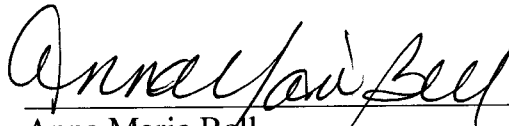
October 10, 2017
Date

at Amarillo, Texas
City and State

Lee Ann Reno, U.S. Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer



Anna Marie Bell
Assistant United States Attorney